

MORRISON & FOERSTER LLP  
MICHAEL A. JACOBS (Bar No. 111664)  
mjacobs@mofo.com  
MARC DAVID PETERS (Bar No. 211725)  
mdpeters@mofo.com  
DANIEL P. MUINO (Bar No. 209624)  
dmuino@mofo.com  
755 Page Mill Road, Palo Alto, CA 94304-1018  
Telephone: (650) 813-5600 / Facsimile: (650) 494-0792

BOIES, SCHILLER & FLEXNER LLP  
DAVID BOIES (Admitted *Pro Hac Vice*)  
dboies@bsfllp.com  
333 Main Street, Armonk, NY 10504  
Telephone: (914) 749-8200 / Facsimile: (914) 749-8300  
STEVEN C. HOLTZMAN (Bar No. 144177)  
sholtzman@bsfllp.com  
1999 Harrison St., Suite 900, Oakland, CA 94612  
Telephone: (510) 874-1000 / Facsimile: (510) 874-1460  
ALANNA RUTHERFORD  
575 Lexington Avenue, 7th Floor, New York, NY 10022  
Telephone: (212) 446-2300 / Facsimile: (212) 446-2350 (fax)

ORACLE CORPORATION  
DORIAN DALEY (Bar No. 129049)  
dorian.daley@oracle.com  
DEBORAH K. MILLER (Bar No. 95527)  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA (Bar No. 211600)  
matthew.sarboraria@oracle.com  
500 Oracle Parkway, Redwood City, CA 94065  
Telephone: (650) 506-5200 / Facsimile: (650) 506-7114

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE, INC.

Defendant.

Case No. CV 10-03561 WHA

**ORACLE AMERICA, INC.'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL**

Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William H. Alsup

1 Plaintiff Oracle America, Inc. (“Oracle”) hereby moves to file the following portions of its  
 2 Opposition To Google’s Motion To Strike Portions Of Dr. James Kearl’s Expert Report under seal, for  
 3 the reasons stated in the accompanying Declaration of Andrew C. Temkin:

- 4 • Exhibit C to the Declaration Of Meredith Dearborn In Support Of Oracle America,  
 5 Inc.’s Opposition To Google’s Motion To Strike Portions Of Dr. James Kearl’s Expert  
 6 Report (“4/6 Dearborn Decl.”); and
- 7 • Material in Oracle America, Inc.’s Opposition to Google’s Motion to Strike Portions of  
 8 Dr. James Kearl’s Expert Report that references Exhibit C.

9 As described in the accompanying Declaration of Andrew C. Temkin, the selected materials  
 10 contain sensitive, non-public information that could cause competitive harm to Oracle if made public.

11 Additionally, the Order Approving Stipulated Protective Order Subject to Stated Conditions  
 12 entered in this case (Dkt. No. 68) dictates that when material has been designated as Confidential or  
 13 Highly Confidential – Attorney’s Eyes Only, a party may not file it in the public record, but must seek  
 14 to file it under seal pursuant to Local Rule 79-5. (Dkt. 66 § 14.4.) Accordingly, Oracle seeks to file  
 15 under seal those portions of the motion and declarations in support thereof referencing documents that  
 16 Google has designated Confidential or Highly Confidential – Attorneys’ Eyes Only:

- 17 • The remaining redacted portions of Oracle’s Opposition To Google’s Motion To Strike  
 18 Portions Of Dr. James Kearl’s Expert Report, other than those specifically referenced  
 19 above;
- 20 • Exhibits A, D, E, G, I, J & K to the 4/6 Dearborn Decl.;
- 21 • The redacted portions of Exhibit F to the 4/6 Dearborn Decl.

22 Additionally, Exhibit H to the Dearborn Decl. has been redacted to remove personal phone  
 23 numbers. Oracle seeks to file this document under seal in order to protect the privacy of the Google  
 24 employees whose phone numbers are listed.

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1 Oracle states no position as to whether disclosure of materials marked by Google as  
2 Confidential or Highly Confidential – Attorneys’ Eyes Only material would cause harm to Google.

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4 Dated: April 6, 2012

BOIES, SCHILLER & FLEXNER LLP

5 By: /s/ Steven C. Holtzman  
Steven C. Holtzman

6 *Attorneys for Plaintiff*  
7 ORACLE AMERICA, INC.  
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